

BROCK, Ansgar *et. al.* Appl. No. 09/765,207 Page 4

REMARKS

Status of the Application

Claims 68-81 are pending with the entry of this amendment, with cancellation of originally filed claims 1-28 respectfully requested. Claims 29-67 were presented in a preliminary amendment filed on June 9, 2002, but this preliminary amendment was not entered.

Response to Restriction Requirement

According to the restriction requirement, Applicants must elect from the following two groups of claims:

Group I: Claims 1-14 and 20-28

Group II: Claims 15-25

Applicants hereby elect Group II for prosecution in this case. New claims 68-81 correspond to elected claims 15-25.

Claims 1-14 and 20-28 are canceled without prejudice to their later renewal in a divisional application.

Information Disclosure Statement

The Examiner has kindly indicated, in the Communication dated July 22, 2002, that the Information Disclosure Statement filed June 12, 2002 will be considered.

Applicants also had electronically submitted an additional Information Disclosure Statement on June 6, 2002. If this IDS is not present in the file, Applicants will re-submit the IDS upon the Examiner's request.

The Amendments

New claims 68-81 do not add new matter to the application as originally filed. For example, the new claims find support in the originally filed application as follows:

Claims 68-70 and 72-73: originally filed claims 15-20, respectively

Claim 71: page 5, lines 12-25

Claim 74: page 10, lines 16-18

BROCK, Ansgar et. al. Appl. No. 09/765,207 Page 5

Claim 75: page 10, lines 11-13 and lines 23-27

Claims 76-79: originally filed claims 21-24, respectively

Claim 80: page 5, lines 12-16

Claim 81: page 6, lines 6-7

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for examination. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned attorney at 858-812-1547.

Respectfully submitted,

Timothy L. Smith, Ph.D.

Reg. No. 35,367

GENOMICS INSTITUTE OF THE NOVARTIS RESEARCH FOUNDATION 10675 John Jay Hopkins Drive, Suite E225

San Diego, CA 92121 Tel: (858) 812-1547 Fax: (858) 812-1981

FAX RECEIVED

JAN 2 9 2003

TECHNOLOGY CENTER 2800